

House Study Bill 195 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES BILL BY
CHAIRPERSON MOORE)

A BILL FOR

- 1 An Act relating to hunter education license requirements,
- 2 providing for an apprentice hunter permit and fee, and
- 3 including penalty provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 483A.1, subsection 1, Code 2015, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *ad.* Apprentice hunter
4 permit \$ 5.00

5 Sec. 2. Section 483A.7, subsection 3, paragraph a, Code
6 2015, is amended to read as follows:

7 *a.* A nonresident wild turkey hunter is required to purchase
8 a nonresident hunting license that includes the wildlife
9 habitat fee and a nonresident wild turkey hunting license. The
10 commission shall annually limit to two thousand three hundred
11 licenses the number of nonresidents allowed to have wild turkey
12 hunting licenses. Of the two thousand three hundred licenses,
13 one hundred fifty licenses shall be valid for hunting with
14 muzzle loading shotguns only. The commission shall allocate
15 the nonresident wild turkey hunting licenses issued among the
16 zones based on the populations of wild turkey. A nonresident
17 applying for a wild turkey hunting license must exhibit proof
18 of having successfully completed a hunter ~~safety and ethics~~
19 education program as provided in section 483A.27 or its
20 equivalent as determined by the department before the license
21 is issued.

22 Sec. 3. Section 483A.8, subsection 3, paragraph d, Code
23 2015, is amended to read as follows:

24 *d.* The commission shall allocate all nonresident deer
25 hunting licenses issued among the zones based on the
26 populations of deer. However, a nonresident applicant may
27 request one or more hunting zones, in order of preference, in
28 which the applicant wishes to hunt. If the request cannot
29 be fulfilled, the applicable fees shall be returned to the
30 applicant. A nonresident applying for a deer hunting license
31 must exhibit proof of having successfully completed a hunter
32 ~~safety and ethics~~ education program as provided in section
33 483A.27 or its equivalent as determined by the department
34 before the license is issued.

35 Sec. 4. Section 483A.24, subsection 3, paragraph a, Code

1 2015, is amended to read as follows:

2 *a.* Fifty of the nonresident deer hunting licenses shall be
3 allocated as requested by a majority of a committee consisting
4 of the majority leader of the senate, speaker of the house
5 of representatives, and director of the economic development
6 authority, or their designees. The licenses provided pursuant
7 to this subsection shall be in addition to the number of
8 nonresident licenses authorized pursuant to section 483A.8.
9 The purpose of the special nonresident licenses is to allow
10 state officials and local development groups to promote the
11 state and its natural resources to nonresident guests and
12 dignitaries. Photographs, videotapes, or any other form
13 of media resulting from the hunting visitation shall not
14 be used for political campaign purposes. The nonresident
15 licenses shall be issued without application upon purchase of a
16 nonresident hunting license that includes the wildlife habitat
17 fee and the purchase of a nonresident deer hunting license.
18 The licenses are valid in all zones open to deer hunting. The
19 hunter ~~safety and ethics~~ education certificate requirement
20 pursuant to section 483A.27 is waived for a nonresident issued
21 a license pursuant to this subsection.

22 Sec. 5. Section 483A.24, subsection 4, paragraph a, Code
23 2015, is amended to read as follows:

24 *a.* Fifty of the nonresident wild turkey hunting licenses
25 shall be allocated as requested by a majority of a committee
26 consisting of the majority leader of the senate, speaker of
27 the house of representatives, and director of the economic
28 development authority, or their designees. The licenses
29 provided pursuant to this subsection shall be in addition
30 to the number of nonresident licenses authorized pursuant
31 to section 483A.7. The purpose of the special nonresident
32 licenses is to allow state officials and local development
33 groups to promote the state and its natural resources to
34 nonresident guests and dignitaries. Photographs, videotapes,
35 or any other form of media resulting from the hunting

1 visitation shall not be used for political campaign purposes.
2 The nonresident licenses shall be issued without application
3 upon purchase of a nonresident hunting license that includes
4 the wildlife habitat fee and the purchase of a nonresident wild
5 turkey hunting license. The licenses are valid in all zones
6 open to wild turkey hunting. The hunter ~~safety and ethics~~
7 education certificate requirement pursuant to section 483A.27
8 is waived for a nonresident issued a license pursuant to this
9 subsection.

10 Sec. 6. Section 483A.24, subsection 5, paragraph e, Code
11 2015, is amended to read as follows:

12 e. A disabled person who receives a special license under
13 this subsection shall complete the hunter ~~safety and ethics~~
14 education course.

15 Sec. 7. Section 483A.24, subsection 12, paragraph d, Code
16 2015, is amended to read as follows:

17 d. A nonresident who receives a special license pursuant to
18 this subsection shall purchase a hunting license that includes
19 the wildlife habitat fee and the applicable nonresident turkey
20 or deer hunting license, but is not required to complete the
21 hunter ~~safety and ethics~~ education course if the person is
22 accompanied and aided by a person who is at least eighteen
23 years of age. The accompanying person must be qualified to
24 hunt and have a hunting license that includes the wildlife
25 habitat fee. During the hunt, the accompanying adult must be
26 within arm's reach of the nonresident licensee.

27 Sec. 8. Section 483A.27, Code 2015, is amended to read as
28 follows:

29 **483A.27 Hunter ~~safety and ethics~~ education program — license**
30 **requirement.**

31 1. A person born after January 1, 1972, shall not obtain a
32 hunting license unless the person has satisfactorily completed
33 a hunter ~~safety and ethics~~ education course approved by the
34 commission. A person who is eleven years of age or more
35 may enroll in an approved hunter ~~safety and ethics~~ education

1 course, but a person who is eleven years of age and who has
2 successfully completed the course shall be issued a certificate
3 of completion which becomes valid on the person's twelfth
4 birthday. A certificate of completion from an approved hunter
5 ~~safety and ethics~~ education course issued in this state, or a
6 certificate issued by another state, country, or province for
7 completion of a course that meets the standards adopted by the
8 international hunter education association — United States of
9 America, is valid for the requirements of this section.

10 2. a. A certificate of completion shall not be issued
11 to a person who has not satisfactorily completed a minimum
12 of ten hours of training in an approved hunter ~~safety and~~
13 ~~ethics~~ education course. The department shall establish the
14 curriculum based on the standards adopted by the international
15 hunter education association — United States of America for the
16 ~~first ten hours of an the~~ approved hunter ~~safety and ethics~~
17 ~~education course offered in this state.~~ Upon completion
18 of the ~~ten-hour curriculum~~ course, each person shall pass
19 an individual oral test or a written test provided by the
20 department. The department shall establish the criteria for
21 successfully passing the tests. Based on the results of
22 the test and demonstrated safe handling of a firearm, the
23 instructor shall determine the persons who shall be issued a
24 certificate of completion.

25 b. Notwithstanding paragraph "a", a resident who is eighteen
26 years of age or older may obtain a certificate of completion
27 without demonstrating the safe handling of a firearm.

28 3. The department shall provide a manual regarding hunter
29 ~~safety and ethics~~ education which shall be used by all
30 instructors and persons receiving hunter ~~safety and ethics~~
31 education training in this state. The department may produce
32 the manual in a print or electronic format accessible from
33 a computer, including from a data storage device or the
34 department's internet site.

35 4. The department shall provide for the certification of

1 persons who wish to become hunter ~~safety and ethics~~ education
2 instructors. A person shall not act as an instructor in
3 hunter ~~safety and ethics~~ education as provided in this section
4 without first obtaining an instructor's certificate from the
5 department.

6 5. An officer of the department or a certified instructor
7 may issue a certificate to a person who has not completed
8 the hunter ~~safety and ethics~~ education course but meets the
9 criteria established by the commission.

10 6. A public or private school accredited pursuant to section
11 256.11 or an organization approved by the department may
12 cooperate with the department in providing a course in hunter
13 ~~safety and ethics~~ education or shooting sports activities as
14 provided in this section.

15 7. A hunting license obtained under this section by a
16 person who gave false information or presented a fraudulent
17 certificate of completion shall be revoked and a new hunting
18 license shall not be issued for at least two years from the
19 date of conviction. A hunting license obtained by a person
20 who was born after January 1, 1972, but has not satisfactorily
21 completed the hunter ~~safety and ethics~~ education course or has
22 not met the requirements established by the commission, shall
23 be revoked.

24 8. The commission shall adopt rules in accordance with
25 chapter 17A as necessary to carry out the administration of
26 this section.

27 9. The initial hunter ~~safety~~ education certificate shall be
28 issued without cost. A duplicate certificate shall be issued
29 ~~at a cost of three dollars~~ upon payment of the writing fee and
30 administrative fee, if applicable.

31 10. A person under eighteen years of age who is required
32 to exhibit a valid hunting license, shall also exhibit a valid
33 certificate of completion from a state approved hunter ~~safety~~
34 ~~and ethics~~ education course upon request of an officer of the
35 department. A failure to carry or refusal to exhibit the

1 certificate of completion as provided in this subsection is a
2 violation of this chapter. A violator is guilty of a simple
3 misdemeanor as provided in section 483A.42.

4 11. An instructor certified by the department shall be
5 allowed to conduct a department-approved hunter ~~safety and~~
6 ~~ethics~~ education course or shooting sports activities course
7 on public school property with the approval of a majority of
8 the board of directors of the school district. Conducting
9 an approved hunter ~~safety and ethics~~ education course or
10 shooting sports activities course is not a violation of any
11 public policy, rule, regulation, resolution, or ordinance which
12 prohibits the possession, display, or use of a firearm, bow and
13 arrow, or other hunting weapon on public school property or
14 other public property in this state.

15 Sec. 9. NEW SECTION. **483A.27A Apprentice hunter permit.**

16 1. Notwithstanding section 483A.27, a resident who is
17 sixteen years of age or older may purchase a hunting license
18 without first completing the hunter education course if the
19 person purchases an apprentice hunter permit and the person
20 meets all the requirements of this section.

21 2. If the apprentice hunter is a minor, the person must
22 be accompanied and aided while hunting by a mentor who is the
23 person's parent or guardian, or be accompanied and aided by any
24 other competent adult mentor with the consent of the minor's
25 parent or guardian. If the apprentice hunter is not a minor,
26 the apprentice hunter must be accompanied and aided while
27 hunting by a competent adult mentor.

28 3. The mentor and the apprentice hunter must have valid
29 hunting licenses that include the wildlife habitat fee and that
30 are valid for the same seasons to hunt game. The mentor and the
31 apprentice hunter must also have deer hunting licenses and tags
32 to hunt deer and wild turkey hunting licenses and tags to hunt
33 wild turkey, that are valid for the same seasons and zones. A
34 transportation tag issued to an apprentice hunter shall not be
35 used to tag a deer taken by another person.

1 4. While hunting, the apprentice hunter must be under the
2 direct supervision of the mentor. For the purposes of this
3 subsection, "*direct supervision*" means the mentor must maintain
4 constant direction and control of the apprentice hunter and
5 stay within a distance from the apprentice hunter that enables
6 the mentor to give uninterrupted, unaided visual and auditory
7 communications to the apprentice hunter. There must be one
8 licensed mentor in direct supervision of each apprentice
9 hunter.

10 5. An apprentice hunter permit issued pursuant to this
11 section is valid from the date issued to January 10 of the
12 succeeding calendar year for which it is issued. An apprentice
13 hunter permit shall contain the address, signature, and a
14 general description of the permittee.

15 6. A person is eligible to obtain an apprentice hunter
16 permit pursuant to this section only two times. Subsequently,
17 the person must meet the requirements of section 483A.27 in
18 order to obtain a hunting license.

19 7. The commission shall adopt rules pursuant to chapter 17A
20 to administer this section.

21 Sec. 10. Section 484B.10, subsection 3, Code 2015, is
22 amended to read as follows:

23 3. A nonresident youth under sixteen years of age may hunt
24 game birds on a licensed hunting preserve upon securing an
25 annual hunting preserve license restricted to hunting preserves
26 only for a license fee of five dollars and payment of the
27 wildlife habitat fee. A nonresident youth is not required
28 to complete the hunter ~~safety and ethics~~ education course to
29 obtain a hunting preserve license pursuant to this subsection
30 if the youth is accompanied by a person who is at least
31 eighteen years of age, is qualified to hunt, and possesses a
32 valid hunting license that includes the wildlife habitat fee.
33 During the hunt, the accompanying adult must be within arm's
34 reach of the nonresident youth.

35 Sec. 11. Section 805.8B, subsection 3, paragraph b, Code

1 2015, is amended to read as follows:

2 *b.* For violations of sections 481A.54, 481A.69, 481A.71,
3 481A.72, 482.6, 483A.3, 483A.6, 483A.19, ~~and~~ 483A.27, and
4 483A.27A, the scheduled fine is twenty dollars.

5	EXPLANATION
---	-------------

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill relates to hunter education license requirements,
9 provides for an apprentice hunter permit and fee, and includes
10 penalties.

11 The bill renames the "hunter safety and ethics education
12 course" described in Code section 483A.27, whose completion is
13 required to purchase a hunting license in this state, as the
14 "hunter education course". Coordinating amendments are made to
15 numerous other Code provisions that reference the course.

16 The bill also amends Code section 483A.27 to provide that the
17 curriculum for the entire course, not just the first 10 hours,
18 shall be based on the standards adopted by the international
19 hunter education association - United States of America. The
20 cost for a duplicate certificate of completion of the course is
21 changed to the amount of the writing fee and administrative fee
22 instead of specifying that the cost is \$3.

23 New Code section 483A.27A provides that, notwithstanding
24 the requirements of Code section 483A.27, a resident aged 16
25 years or older may purchase a hunting license without first
26 completing the hunter education course if the person purchases
27 an apprentice hunter permit for \$5 and meets other requirements
28 of the new Code section.

29 New Code section 483A.27A provides that if an apprentice
30 hunter is a minor, the person must be accompanied and aided
31 while hunting by a mentor who is the person's parent or
32 guardian or another competent adult consented to by the
33 parent or guardian. If the apprentice hunter is not a minor,
34 the person must be accompanied and aided while hunting by a
35 competent adult mentor.

1 The mentor and the apprentice hunter must have valid hunting
2 licenses that include the wildlife habitat fee and that are
3 valid for the same seasons to hunt game. The mentor and
4 the apprentice hunter must also have deer or turkey hunting
5 licenses that are valid for the same seasons or zones if
6 hunting for deer or turkey. A transportation tag issued to an
7 apprentice hunter cannot be used to tag a deer taken by another
8 person.

9 While hunting, an apprentice hunter must be under the direct
10 supervision of the mentor. "Direct supervision" means that
11 the mentor must maintain constant direction and control of
12 the apprentice hunter and stay within a distance that enables
13 the mentor to give uninterrupted, unaided visual and auditory
14 communications to the apprentice. There must be one licensed
15 mentor in direct supervision of each apprentice.

16 An apprentice hunter permit is valid from the date of issue
17 to January 10 of the succeeding calendar year and shall contain
18 a general description of the permittee.

19 A person is eligible to obtain only two apprentice hunter
20 permits. After that, the person must meet the hunter education
21 requirements of Code section 483A.27 to obtain a hunting
22 license.

23 The commission is required to adopt rules to administer new
24 Code section 483A.27A. A violation of the new provision is
25 punishable with a scheduled fine of \$20.